

Atty Docket: 2001P11177US

PATENTS

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Date: Oct. 19, 2005By: Thomas George  
Thomas George**RECEIVED  
CENTRAL FAX CENTER****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

OCT 19 2005

In re Application of: Uwe SYDON  
Serial No.: 09/922,460  
Filing Date: August 3, 2001  
Group Art Unit: 2683  
Examiner: Zewdu, Meless Nmn  
Title: **AIR INTERFACE WITH VARIABLE DATA RATE BY SWITCHING  
THE BIT TIME**

Commissioner of Patents  
P.O. Box 1450  
Alexandria, CA 22313-1450

**NOTICE OF APPEAL OF DECISION OF THE PRIMARY EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES UNDER 37 CFR 1.191**

Dear Sir:

In the Advisory Action mailed October 13, 2005, the Examiner has rejected claims 1-10, 12, and 14-22. In response, Applicant hereby appeals to the Board the decision of the Primary Examiner. An Appellant's Brief will be filed in triplicate within two months from the mailing date of this response.

In addition, a petition for an extension of time under 37 CFR 1.136(a) is enclosed.

Please charge the fee of \$500.00 under 37 CFR 1.17 (b) to Deposit Account No. 19-2179 for this Notice of Appeal. It is not believed that any additional fees are due in connection with this paper, however the Assistant Commissioner is authorized to charge any fees or credit any overpayments to Deposit Account No. 19-2179.

10/21/2005 MBINAS 00000029 192179 09922460  
02 FC:1401 500.00 DA

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I, Thomas George, am the attorney acting under 37 CFR 1.34(a).

## PLEASE MAIL CORRESPONDENCE TO:

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Respectfully submitted,

*Thomas George*

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Date: Oct. 19, 2005